

MEMO ENDORSED



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LAW DEPARTMENT
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May 5, 2023

VIA ECF

Hon. Andrew L. Carter, Jr.
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *R.S. v. New York City Dept. of Educ.*, 23-cv-1921 (ALC)(BCM)

Dear Judge Carter:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* ("IDEA"), as well as for this action.

I write to respectfully request a 90-day stay of this action until August 11, 2023. Plaintiff consents to this request, and has agreed to provide the needed billing records by May 12, 2023. (Defendant's deadline to respond to the Complaint is currently June 30, 2023). On March 29, 2023, the Court granted Defendant's first request for an extension. (ECF No. 9). We note that, while this is an IDEA fees-only case and liability is not at issue, without the relevant billing, Defendant cannot begin its internal settlement review process, which includes review of the underlying administrative record together with the relevant billing records and thereafter present a reasonable early offer of settlement. We are optimistic that this case will fully resolve: Defendant has settled all but four of the many dozens of similar IDEA fees-only cases brought by plaintiffs represented by the Roller firm in recent years without the need to burden the court with any motion practice, conferences or even the need to file an Answer.

I also respectfully propose that, if a stay is granted, the parties be required to submit a joint status letter regarding settlement negotiations on or before August 11, 2023.

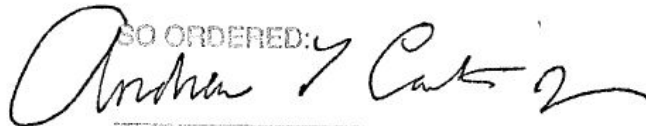
Thank you for considering these requests.

Respectfully submitted,
/s/

Marina Moraru
Special Assistant Corporation Counsel

cc: Irina Roller (via ECF)

Defendant's request for a stay is **GRANTED**. The stay will last until August 11, 2023. The parties are hereby **ORDERED** to submit a joint status report on or by August 11, 2023 advising the Court on the current status of this action.

SO ORDERED:


HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

Dated: May 16, 2023